

FORTY-NINTH LEGISLATURE  
FIRST SESSION

March 5, 2009

SENATE FLOOR AMENDMENT number   2   to SENATE BILL 205, as amended  
Amendment sponsored by Senator Michael S. Sanchez

1. Strike Senate Finance Committee Amendment 8.

2. On page 12, between lines 8 and 9, insert the following new subsection:

"B. Any director, officer or employee of the research applications center shall enter into a nondisclosure agreement that at a minimum provides:

(1) a clear description of confidential information that the research applications center may disclose to the director, officer or employee;

(2) a clear description of the limitations on the use of confidential information by the director, officer or employee;

(3) a confidentiality period that requires the director, officer or employee to hold confidential information in confidence until that information becomes generally publicly known;

(4) that the director, officer or employee shall be prohibited from acquiring an intellectual property right;

(5) for the return of all confidential information to the research applications center upon request;

(6) remedies for unauthorized disclosure of confidential information under the nondisclosure agreement, which may provide for liquidated damages, specific performance or injunction against further disclosure or breach, in addition to all

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other remedies available at law or equity to the research applications center for unauthorized disclosure of confidential information by the director, officer or employee; and

(7) for the award of reasonable attorney fees and costs incurred by the research applications center in seeking enforcement of the nondisclosure agreement."

3. Reletter the succeeding subsections accordingly.
4. On page 12, strike lines 19 through 21 in their entirety.

\_\_\_\_\_  
Michael S. Sanchez

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_